

Exhibit “1”

Command Discipline Report, August 11, 2014

# **Command Discipline Report** **New Rochelle Police Department**

Officer's Name	Rank	Employee Number	Assignment
Lane Schlesinger	Police Officer		P.S.D. – Third Tour

Investigation has been completed concerning the violation charged herein. The finding and the disciplinary action recommended are indicated below. You may accept the finding and the proposed disciplinary action or decline to accept the finding and the proposed disciplinary action in lieu of a statutory hearing on written charges before a hearing officer.

## **Summary of Investigation and Disposition of Complaint:**

On May 23, 2014, Police Officer Lane Schlesinger was scheduled to appear for a traffic trial in reference to a subpoena that was properly served to him. P.O. Schlesinger failed to appear for the trial.

By his actions, P.O. Schlesinger violated section 7.1 of this Department's Rules and Regulations.

Finding	Disciplinary Action Recommended
Sustained	WRITTEN RECOMMENDATION Loss of one (1) leave day
Signature of Division Commander	Date
<i>[Signature]</i>	11 Aug 2014

## **To Be Completed By Officer Charged:**

I understand that I do not have to accept the findings and the disciplinary action recommended by my commanding officer. My right to a statutory hearing before a hearing officer has been explained to me and I hereby voluntarily:

( ☒ ) **Accept** the finding and the proposed disciplinary action.

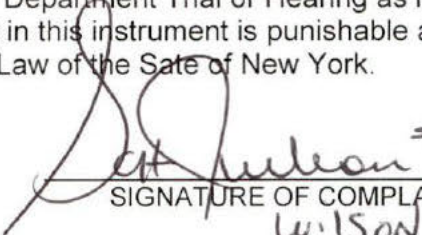
( ☐ ) **Decline** to accept any disciplinary action without a statutory hearing.

Officer's Signature	Date	Witnessed by:
<i>P.O. Schlesinger</i>	8/11/14	<i>CAPT GAZZOLA</i>

CO 1A

DATE OF REPORT 05/29/2014		POLICE DEPARTMENT CITY OF NEW ROCHELLE, N.Y.		COMPLAINT NUMBER 8114
COMPLAINANT'S NAME Sgt. Justin Wilson		ADDRESS 475 North Ave		PHONE NO. (HOME & BUSINESS) [REDACTED]
DATE AND TIME RECEIVED 05/23/2014 1600 Hrs.		COMPLAINT RECEIVED BY		HOW RECEIVED
DATE AND TIME OF OCCURRENCE 05/23/2014 1000 hrs.		LOCATION OF OCCURRENCE 475 North Avenue		
OFFICER(S) INVOLVED Lane Schlesinger		RANK Police Officer	SHIELD NUMBER(S) 1058	
WITNESSES NAME		ADDRESS		PHONE NO. (HOME & BUSINESS)
STATEMENT OF COMPLAINT On May 23, 2014, at approximately 1600 Hrs, I became aware that Police Officer Schlesinger did not appear for a traffic trial scheduled for May 23, 2014 at 1000Hrs. PO Schlesinger was served this traffic trial notice on April 27, 2014 for the defendant [REDACTED] by Sgt. Conca. This was documented under Event # 21310-14. I interviewed PO Schlesinger about his absence in the above traffic trial and he advised that he messed up the dates in his calendar.  Based on my investigation I believe that Police Officer Schlesinger was in violation of section 7.1 of the New Rochelle Police Department Rules and Regulations. PO Schlesinger violated section 7.1 which states "Members of the Department will honor and obey all lawfully issued court processes, which demand their presence at any Criminal, Civil, or Administrative hearings or trials."  PO Schlesinger had a previous incident of this violation documented on July 18, 2013. I recommend a command discipline for this violation.				

In making this complaint I agree to be available for any Department Trial or Hearing as may come due. I further understand that the making of a false statement in this instrument is punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law of the State of New York.

  
SIGNATURE OF COMPLAINANT  
Wilson

Sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

City Of New Rochelle  
New York

Interdepartmental communication

To: Police Officer Lane Schlesinger *PO Lane Schlesinger*

From: Captain Robert Gazzola *Capt Robert Gazzola*

Subject: Letter of Reprimand

Date: *8/11/14*

This letter of Reprimand is issued in connection with Command Discipline Number 08/12, which was served upon you on *8/11/14* and accepted by you on *8/11/14*.

You are hereby formally reprimanded for the conduct stated in the above referenced Command Discipline. Failing to file appropriate charges with the District Attorney's office interferes with the efficient and orderly operation of the Police Department.

You are hereby advised that any further misconduct on your part including, but not limited to, the conduct described above, will result in the imposition of discipline as provided for in Chapter 6 of the New Rochelle Police Departments Manual of Procedure and Article 75 of the New York State Civil Service Law.

cc: Disciplinary File



City Of New Rochelle  
New York

Interdepartmental communication

To: Police Officer Lane Schlesinger

From: Captain Robert Gazzola

Subject: Proposed Disciplinary Action

Date:

- 1) Attached hereto please find a copy of charges against you alleging misconduct on your part.
- 2) A penalty of a loss of one (1) leave day is proposed.
- 3) You have eight (8) days in which to answer this communication. Such answer shall be on the form attached or in similar form and must be in my office no later than \_\_\_\_\_.

Should you fail to respond, such failure shall be construed as not contesting the proposed disciplinary action and accepting the proposed penalty therefore without a hearing.

- 4) You have the right to be represented by Counsel and / or other representative of your choosing.